

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Clayton Perkins	:	
	:	
Plaintiff(s)	:	
	:	Case Number: 1:10cv810
vs.	:	
	:	Chief Judge Susan J. Dlott
Sun Chemical Corporation	:	
	:	
Defendant(s)	:	

ORDER

This case came on for a preliminary pretrial conference pursuant to Fed. R. Civ. P. 16 at 10:30 a.m. on April 15, 2011. All parties of record participated by their trial attorneys of record, Robert Croskery on behalf of the plaintiff and Keisha-Ann G. Gray on behalf of the defendant.

Based upon such conference, the Court hereby sets the following schedule:

1. Dates to exchange lists of expert witnesses
and furnish copies of expert reports
Party with burden of proof: 9/15/11
Opponent: 10/31/11
2. Discovery Cutoff 01/13/12
3. Settlement Procedures
 - A. Plaintiff to make demand three weeks before
the settlement conference.
 - B. Defendant to respond to demand two weeks
before the settlement conference.
 - C. Each counsel must prepare and submit a letter
to the Court with the status of any settlement
negotiations to date. These letters need not be
filed with the Clerk's Office nor exchanged

with opposing counsel. Letters to be submitted one week before the settlement conference.

D. Settlement Conference at

Attorneys attending settlement conference must bring the party or a principal with full settlement authority. By full settlement authority, the Court means the person or persons attending must have authority independently to make necessary financial and settlement decisions. **Failure to follow this requirement will result in sanctions.**

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| 4. | Last date to file dispositive motions not directed to the pleadings. (E.g. summary judgment motions) | 03/01/12 |
| | Memoranda contra due | 03/26/12 |
| | Reply memoranda due | 04/09/12 |

(These dates apply to any summary judgment motions filed on the last date allowed; dispositive motions filed earlier in the case shall be treated in accordance with S.D. Ohio L. R. 7.2).

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| 5. | Final Pretrial Conference at 10:00 a.m. | 06/15/12 |
| 6. | Trial to a Jury for days commencing at 9:30 a.m. | 08/6/12 |

In accordance with S.D. Ohio Civ. R. 37.1, objections, motions, applications and requests to discovery shall not be filed with the Court by any party, unless counsel has first exhausted, among themselves, all extrajudicial means of resolving their differences. After said means are exhausted, then in lieu of filing a motion under Rules 26 and 37 of the Federal Rules of Civil Procedure, counsel must notify the Court seeking a conference.

All discovery shall be requested by the discovery date. Parties who undertake to extend discovery by agreement beyond the cutoff date without Court approval do so at the risk the Court may not permit its completion prior to trial. Counsel shall keep the Court currently advised of the status of discovery in this case and promptly bring to the Court's attention any discovery disputes

requiring court resolution.

This Court has an additional condition to S.D. Ohio Civ. R. 7.2(a)(3). Any brief and/or memoranda in support of or in opposition to any motion in this Court shall not exceed twenty pages without first obtaining leave of Court. A motion for leave must set forth the reasons excess pages are required and the number of pages sought. If leave of Court is granted, counsel must include: (1) a table of contents indicating the main sections of the memorandum, the arguments made in each section, and the pages on which each section and subsection may be found; and (2) a succinct, clear, and accurate summary not to exceed five pages of the principal arguments made and citations to the primary authorities relied upon in the memorandum. All briefs and memoranda shall comply with the formal requirements of S.D. Ohio Civ. R. 7.2. In an effort to encourage settlements, the Court may schedule a settlement conference at any time. Counsel also may request that a conference be scheduled at any time when it appears such a conference would be fruitful. Each counsel will be required to prepare and submit a letter no longer than five pages to the Court one week prior to the conference with a synopsis of the case and the status of any settlement negotiations to date. These letters are ex parte and should not be filed with the Clerk's Office nor exchanged with opposing counsel.

The attention of counsel is called to amendments to the Federal Rules of Civil Procedure which became effective December 1, 1993, particularly with respect to expert reports.

IT IS SO ORDERED.

s/Susan J. Dlott
Susan J. Dlott
United States District Court